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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	2569
DESTINATION TEL #	92027560605
DESTINATION ID	
ST. TIME	03/01 11:11
TIME USE	00'32
PAGES SENT	4
RESULT	OK



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

To: Alex Dunn

OFFICE OF WATER

From: Allison Wiedeman



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Don Parrish  
Senior Director, Regulatory Relations  
American Farm Bureau Federation  
600 Maryland Avenue, S.W.  
Suite 1000W  
Washington, D.C. 20024

Dear Mr. Parrish:

The Acting Administrator has asked me to respond to your letter expressing concerns about the Environmental Protection Agency's recent release of data on CAFOs pursuant to Freedom of Information Act (FOIA) (#2012-1337, #2013-1516). I want to reaffirm the Environmental Protection Agency's commitment, as well as my personal commitment, to working cooperatively with agriculture to achieve our mutual goals for protection of the environment and of our food supply. I also appreciate your offer to continue to work with us on ways to help support farmers and ranchers in meeting the goals of the Clean Water Act.

The issues you raised in your letter are significant and we are reviewing them carefully. To put these issues in context, some background will be helpful.

The information included in the FOIA releases was obtained from States following our decision not to proceed with a rule requiring reporting by CAFOs under Section 308 of the Clean Water Act. During the rulemaking, states and others advised us we could obtain the information we needed to characterize the universe of CAFOs through voluntary means, including access to State databases. We subsequently entered into an Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for the EPA to work with States to obtain this information. The EPA obtained data on animal feeding operations in thirty States.

As your letter reflects, the information included in the FOIA responses was released in the same condition as it was received by the EPA from the States. It was the EPA's understanding, based on our communication with states, that the information received, and subsequently released, was all publicly available, either through a publicly accessible database or through a public records request to each state. We have subsequently confirmed that a considerable portion of the information is in fact posted on State Websites or is otherwise easily accessible.

Nonetheless, prompted by your concerns, we are investigating whether the FOIA releases contained additional information that is not readily available from States or other sources and that raises privacy concerns under FOIA. The Acting Administrator has emphasized the importance of this analysis and the

need to complete it as soon as possible. In the interim, we have asked the FOIA requestors - and they have agreed -- to refrain from further dissemination of information in the FOIA responses.

My intention is to ensure that we address any legitimate privacy concerns regarding these FOIA responses consistent with the Agency's obligations under the Freedom of Information Act. In addition, we are working to ensure that any future FOIA requests for similar information are reviewed carefully to ensure that privacy-related information is protected to the extent required by FOIA.

Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy K. Stoner', with a stylized flourish at the end.

Nancy K. Stoner  
Acting Assistant Administrator

National Pork -- Michael Formica  
American Farm Bureau Federation - Don Parrish --  
National Cattlemens' Beef Association - Ashley McDonald  
National Council of Farmer Cooperatives - Lisa Kelley --  
National Chicken Council - Mary Colville --  
National Turkey Federation - Christian Richter --  
United Egg Producers - David Inall --  
National Milk Producers Federation - Ryan Bennett  
US Poultry and Egg Association - Paul Bredwell --  
Bayard Ridge Group - Tom Hebert -



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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	2570
DESTINATION TEL #	92022664937
DESTINATION ID	
ST. TIME	03/01 14:24
TIME USE	00:58
PAGES SENT	4
RESULT	OK



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

3/1/13

OFFICE OF WATER

To: Lee Garrigan  
Fr: Allison Wiedeman

Total 4 pages

Call me if have any questions  
202-564-0901



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 28 2013

OFFICE OF WATER

Mr. Don Parrish  
Senior Director, Regulatory Relations  
American Farm Bureau Federation  
600 Maryland Avenue, S.W.  
Suite 1000W  
Washington, D.C. 20024

Dear Mr. Parrish:

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Again, I thank you for contacting the Acting Administrator with your concerns and look forward to continuing to work with you and your members to mitigate any issues that arise as a result of these circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy K. Stoner', with a stylized, looping flourish at the end.

Nancy K. Stoner  
Acting Assistant Administrator

National Pork -- Michael Formica  
American Farm Bureau Federation - Don Parrish --  
National Cattlemen's Beef Association - Ashley McDonald  
National Council of Farmer Cooperatives - Lisa Kelley --  
National Chicken Council - Mary Colville --  
National Turkey Federation - Christian Richter --  
United Egg Producers - David Inall --  
National Milk Producers Federation - Ryan Bennett  
US Poultry and Egg Association - Paul Bredwell --  
Bayard Ridge Group - Tom Hebert -



## Wiedeman, Allison

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**From:** Michael Formica [formicam@nppc.org]  
**Sent:** Monday, February 11, 2013 11:27 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** RE: CAFO Data & NPPC Environment Committee Meeting

Sure! My phone and computer are reading 11:26 right now (didn't see this email until now). Might want to call in a few minutes early, but we will be there on break waiting for you to call in.

---

**From:** [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov) [mailto:[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)]  
**Sent:** Monday, February 11, 2013 10:24 AM  
**To:** Michael Formica  
**Subject:** Re: CAFO Data & NPPC Environment Committee Meeting

No problem. So should we call in precisely at 2:20?

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**From:** Michael Formica [formicam@nppc.org]  
**Sent:** 02/11/2013 03:16 PM GMT  
**To:** Allison Wiedeman; Ellen Gilinsky  
**Cc:** Nancy Stoner; Randy Hill  
**Subject:** RE: CAFO Data & NPPC Environment Committee Meeting

Thanks. Allison, just tried to call you. We are pretty casual (I try to keep us as low key and casual as possible) so if it's a couple of minutes on either end, that's fine. We had a previously schedule break at 2:10, so it was a good place to slip you in to.

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**From:** [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov) [mailto:[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)]  
**Sent:** Monday, February 11, 2013 10:14 AM  
**To:** [Gilinsky.Ellen@epamail.epa.gov](mailto:Gilinsky.Ellen@epamail.epa.gov); Michael Formica  
**Cc:** [Stoner.Nancy@epamail.epa.gov](mailto:Stoner.Nancy@epamail.epa.gov); [Hill.Randy@epamail.epa.gov](mailto:Hill.Randy@epamail.epa.gov)  
**Subject:** Re: CAFO Data & NPPC Environment Committee Meeting

Yes - per Michael's email below we will be calling in to the committee at 2:20pm today.

---

**From:** Ellen Gilinsky  
**Sent:** 02/11/2013 10:07 AM EST  
**To:** "Michael Formica" <[formicam@nppc.org](mailto:formicam@nppc.org)>  
**Cc:** Nancy Stoner; Allison Wiedeman; Randy Hill  
**Subject:** Re: CAFO Data & NPPC Environment Committee Meeting

Allison and Deborah Nagle will be on the call to answer any questions and give more specifics on the data itself

**From:** Michael Formica [formicam@nppc.org]  
**Sent:** 02/11/2013 03:05 PM GMT  
**To:** Ellen Gilinsky  
**Cc:** Nancy Stoner; Allison Wiedeman  
**Subject:** CAFO Data & NPPC Environment Committee Meeting

Ellen

Thank you for the call on Friday night. As we discussed on Friday, my environment committee is meeting this afternoon in Raleigh, NC. I appreciate your offer to have EPA Water staff call in and provide an update on this issue to the committee. Based on our conversation Friday, I have placed you and your staff on the agenda for 2:20 pm EST this afternoon. Here is the call in number:

Call In Number: [REDACTED]

Passcode: [REDACTED]

*Redacted pursuant to  
FOIA exemption 6*

Will have a break in the agenda scheduled for 2:10 pm, so this will provide an easy opportunity to get the phone system set up. Our committee is composed of approximately 25 members of NPPC Environment Committee including a number of individual producers, the primary environmental staff from the swine production side of our larger member companies (Smithfield, Cargill, etc) and some state executives. We will also likely have some of our internal staff who do state outreach on the phone as well. Paul Bredwell of US Poultry and Egg Association is also attending the meeting, and will be on the call. By and large, it's a pretty friendly group. Allison Weidman has met with them a number of times over the years and I hope can vouch that we are fairly hospitable (perhaps we can have you come out to meet with them in person at our fall meeting ).

I'm look forward to reviewing the statement and information that you indicated the Office of Water intends to release this morning on the FOIA responses.

Of course, while disappointed to learn of the release of all the state FOIA data without any notice to producers, we certainly understand that in any organization as large as EPA, it is tough to control the actions of everyone and sometimes one branch accidentally gets ahead of itself. With any luck, once the released data is reviewed we will be able to ensure that it only included data that was otherwise subject to FOIA release and did not include any confidential information or data that shouldn't otherwise have been released. If it did, I trust that we will find a way to work together towards correcting the situation and ensuring the safety of the producers farms (which in many instances also serve as their family home).

We are looking forward to speaking with you and your staff at 2:20pm today.  
In the meantime if you have any questions, don't hesitate to call me at 202-680-3820

*Michael Formica*  
National Pork Producers Council  
(202) 680-3820



## Wiedeman, Allison

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**From:** Gilinsky, Ellen  
**Sent:** Monday, February 11, 2013 10:08 AM  
**To:** Michael Formica  
**Cc:** Stoner, Nancy; WIEDEMAN, ALLISON; Hill, Randy  
**Subject:** Re: CAFO Data & NPPC Environment Committee Meeting

Allison and Deborah Nagle will be on the call to answer any questions and give more specifics on the data itself

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**From:** Michael Formica [formicam@nppc.org]  
**Sent:** 02/11/2013 03:05 PM GMT  
**To:** Ellen Gilinsky  
**Cc:** Nancy Stoner; Allison Wiedeman  
**Subject:** CAFO Data & NPPC Environment Committee Meeting

Ellen

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Call In Number: [REDACTED]  
Passcode: [REDACTED]

*Redacted pursuant to  
FOIA exemption b*

Will have a break in the agenda scheduled for 2:10 pm, so this will provide an easy opportunity to get the phone system set up. Our committee is composed of approximately 25 members of NPPC Environment Committee including a number of individual producers, the primary environmental staff from the swine production side of our larger member companies (Smithfield, Cargill, etc) and some state executives. We will also likely have some of our internal staff who do state outreach on the phone as well. Paul Bredwell of US Poultry and Egg Association is also attending the meeting, and will be on the call. By and large, it's a pretty friendly group. Allison Weidman has met with them a number of times over the years and I hope can vouch that we are fairly hospitable (perhaps we can have you come out to meet with them in person at our fall meeting ).

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We are looking forward to speaking with you and your staff at 2:20pm today.  
In the meantime if you have any questions, don't hesitate to call me at 202-680-3820

## Wiedeman, Allison

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**From:** Don Parrish [donp@fb.org]  
**Sent:** Thursday, February 14, 2013 1:02 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** RE: CAFO data

Thanks.

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*  
*[donp@fb.org](mailto:donp@fb.org)*

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**From:** [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov) [mailto:[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)]  
**Sent:** Thursday, February 14, 2013 12:47 PM  
**To:** Don Parrish  
**Subject:** RE: CAFO data

Noted Don. There was no intention to exclude anyone but I understand your concern. At least I am giving you the VIP treatment in that I am having Scott Yager of my staff burn a CD first thing tomorrow am and personally deliver it to you sometime around 10 am. You are still at 600 MD ave sw, suite 800?? who should I have Scott contact for delivery?

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

♥ "Don Parrish" ---02/14/2013 11:24:04 AM---I am disappointed – we have a lot of members that would like to know what you guys have released. M

From: "Don Parrish" <[donp@fb.org](mailto:donp@fb.org)>  
To: Allison Wiedeman/DC/USEPA/US@EPA  
Date: 02/14/2013 11:24 AM  
Subject: RE: CAFO data

---

I am disappointed – we have a lot of members that would like to know what you guys have released. More members combined that the other groups put together.

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*



[donp@fb.org](mailto:donp@fb.org)

**From:** Wiedeman.Allison@epamail.epa.gov [mailto:Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Thursday, February 14, 2013 11:02 AM  
**To:** Don Parrish; deborah nagle  
**Subject:** Re: CAFO data

Don - we only sent the CDs to 4 people : tom H, formica, ashley M, and Paul B (for Christian). It was an attempt to cover all major sectors. Wuld be glad to get you a cd as well. Timing is tough because we R At oFfsite mtg again all day but I culd see if someone Culd deliver. One to U tomorrow.

---

**From:** "Don Parrish" [donp@fb.org]  
**Sent:** 02/14/2013 10:53 AM EST  
**To:** Allison Wiedeman  
**Subject:** CAFO data

Allison

How did you send the CAFO data to Farm Bureau? I am hearing that others got packages yesterday –

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*  
[donp@fb.org](mailto:donp@fb.org)

## **Wiedeman, Allison**

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**From:** Christian Richter [crichter@thepolicygroup.com]  
**Sent:** Tuesday, February 19, 2013 11:46 PM  
**To:** Nagle, Deborah; WIEDEMAN, ALLISON; Gilinsky, Ellen  
**Cc:** crichter@thepolicygroup.com  
**Subject:** Confirmation & Agenda for Meeting Tomorrow @ 930 AM

Hello Ellen, Deborah and Allison:

In line with what I had noted earlier to Deborah and Allison, the agenda for tomorrow's meeting @ 930 – 1030 am at Farm Bureau is fairly straightforward, and is below.

We have confirmed the attendees will be the Farm Bureau, US Poultry & Egg Association, United Egg Producers, National Pork Producers Council, National Cattlemen's Beef Association, and possibly one additional attendee. There will be no more than 7 of us at this point.

Thanks very much for sending over list of EPA attendees.

Please let me know if you have any questions or concerns in the meantime.

Best regards,

Christian

### **Agenda Industry - EPA 308 Meeting Wednesday, February 20, 2013**

1. Introductions
2. Meeting Objectives
3. EPA Review of CAFO Data Collection Efforts & FOIA Response
4. Industry Review of Concerns
5. Broader Policy Matters
6. Adjourn

**Wiedeman, Allison**

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**From:** Christian Richter [crichter@thepolicygroup.com]  
**Sent:** Tuesday, February 19, 2013 8:06 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Allison - I never received the CD - checking on where it was sent

Allison:

I returned from the NTF conference over the weekend and looked in mail for the CD but did not find it. Did you send it to the McLean address or the DC address?

Best regards,

Christian

The Policy Group  
700 12th Street NW  
Suite 700  
Washington, DC 20005  
(202) 257-0250 direct  
[crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com)

## Wiedeman, Allison

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**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** Thursday, February 14, 2013 2:30 PM  
**To:** WIEDEMAN, ALLISON  
**Cc:** Michael Formica; Ashley McDonald; crichter@thepolicygroup.com; Don Parrish (donp@fb.org)  
**Subject:** Written Request to States for Data under the ACWA MOU

Hi Allison,

Would it be possible for us to get a copy of the written request that was provided to the states (by ACWA?) as to what exactly you/they were asking the states to provide? I know what is in the MOU and what was in Ellen's email. But can we view the actual document?

Thanks!

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)



## Wiedeman, Allison

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**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** Tuesday, February 12, 2013 12:52 PM  
**To:** WIEDEMAN, ALLISON  
**Cc:** Mitschele, Becky  
**Subject:** RE: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

4440 Faraday Place NW  
Washington, DC 20016

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
tom.hebert@bayardridge.com

---

**From:** Wiedeman.Allison@epamail.epa.gov [mailto:Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Tuesday, February 12, 2013 12:51 PM  
**To:** Thomas Hebert  
**Cc:** Mitschele.Becky@epamail.epa.gov  
**Subject:** RE: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

what is your address??

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

Thomas Hebert ---02/11/2013 04:51:18 PM---Thnx! Tom Hebert

**From:** Thomas Hebert <tom.hebert@bayardridge.com>  
**To:** Allison Wiedeman/DC/USEPA/US@EPA  
**Date:** 02/11/2013 04:51 PM  
**Subject:** RE: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

---

Thnx!

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

**From:** [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov) [mailto:[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)]

**Sent:** Monday, February 11, 2013 4:51 PM

**To:** Thomas Hebert

**Subject:** Re: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

that's why I will be sending you a CD

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

Thomas Hebert ---02/11/2013 04:47:36 PM---Hi Allison, So this link is not populated yet and we can't look at the data online. Do you know wha

From: Thomas Hebert <[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)>

To: Allison Wiedeman/DC/USEPA/US@EPA

Date: 02/11/2013 04:47 PM

Subject: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

---

Hi Allison,

So this link is not populated yet and we can't look at the data online. Do you know what the plan/schedule is to get that raw data out there for us to look at? Will it take a few weeks? All the more reason to get a cd if we can .

Thanks!

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

**From:** [Penman.Crystal@epamail.epa.gov](mailto:Penman.Crystal@epamail.epa.gov) [mailto:[Penman.Crystal@epamail.epa.gov](mailto:Penman.Crystal@epamail.epa.gov)] **On Behalf Of** [Gilinsky.Ellen@epamail.epa.gov](mailto:Gilinsky.Ellen@epamail.epa.gov)

**Sent:** Monday, February 11, 2013 4:45 PM

**To:** [crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com); [jthorne@lawbc.com](mailto:jthorne@lawbc.com); Thomas Hebert; [thomascrigler4@gmail.com](mailto:thomascrigler4@gmail.com); [formicam@nppc.org](mailto:formicam@nppc.org); [amcdonald.beef.org](mailto:amcdonald.beef.org); [donp@fb.org](mailto:donp@fb.org)

**Cc:** [ann.mills@osec.usda.gov](mailto:ann.mills@osec.usda.gov); [Stoner.Nancy@epamail.epa.gov](mailto:Stoner.Nancy@epamail.epa.gov); [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov); [Nagle.Deborah@epamail.epa.gov](mailto:Nagle.Deborah@epamail.epa.gov); [Mitschele.Becky@epamail.epa.gov](mailto:Mitschele.Becky@epamail.epa.gov); [Hill.Randy@epamail.epa.gov](mailto:Hill.Randy@epamail.epa.gov)

**Subject:** EPA released data related to FOIA request for all CAFO information collected by EPA from states

Dear Agriculture Stakeholders,

EPA has made a commitment to you to be open and transparent in our work with the agriculture community. Therefore, I wanted to make you aware of two separate Freedom of Information Act (FOIA) requests to EPA, both of which asked for all records relating to EPA's effort to collect CAFO data. One was from EarthJustice and the other was from the Natural Resources Defense Council and Pew Charitable Trust.



You may recall that in July 2012, EPA withdrew a proposed rule that would have required CAFOs to submit information to EPA. The Agency indicated it would use existing federal, state and local sources of information instead of a regulation to gather data about CAFOs. Over the last six months, EPA has been working with states to gather the following information about CAFOs: facility contact information, production area location, permit status, the number and type of animals, and the number of acres available for land application of manure, litter and wastewater.

EPA has been gathering publicly accessible information from States, which is subject to FOIA requirements. EPA made clear to all states that provided us with information that the publicly accessible data they submitted would be required by law to be released to FOIA requestors.

Based on our obligations under FOIA, last week EPA sent the requesters a CD with responsive and releasable documents that included the information states have provided regarding the data collection effort. EPA did not alter the information states submitted in any way before releasing it to the requestors. Along with other federal agencies, EPA now manages FOIA requests through FOIAonline. FOIAonline is a public website that tracks and stores information responsive to a request. It's the Agency's policy to upload records to FOIAonline. While publically available, a user would need to search through all FOIA requests to EPA with a keyword or have the ID number for the FOIA to review the responsive and releasable documents. Once EPA closes out the FOIA request in the next few weeks, the information we provided under these FOIAs will be available at:

<https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28001613d>

I have been reaching out to you and your colleagues as soon as I became aware of this situation and we will be setting up a meeting at EPA with call in number in the next week to ten days to answer questions you may have. In the meantime you can contact Allison Wiedeman, Rural Branch Chief, either at [wiedeman.allison@epa.gov](mailto:wiedeman.allison@epa.gov) or (202) 564-0901. I am of course available at [gilinsky.ellen@epa.gov](mailto:gilinsky.ellen@epa.gov) or 202 564 2549.

Ellen Gilinsky, Ph.D.  
Senior Policy Advisor  
Office of Water

US Environmental Protection Agency  
Room 3111 East  
Telephone: (202) 564-2549  
Cell : (202) 236-6882  
Email: [Gilinsky.Ellen@epa.gov](mailto:Gilinsky.Ellen@epa.gov)

Mailing Address: 1200 Pennsylvania Avenue, NW, Mail Code 4101M, Washington, DC 20460-0001  
Physical/FedEx/Courier Address: 1201 Constitution Ave., NW, Rm. 3111 East Bldg., Washington, DC 20004-3302

## Wiedeman, Allison

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**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** Tuesday, February 12, 2013 9:17 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Actual FOIA Request?

Hi Allison,

Is there any reason why we can't now review the actual NRDC/Earth Justice FOIA request? I understand you don't want to post all the other documents until it is finished, but why can't folks see what was in the request originally?

Sorry to be a pain!

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)



## Wiedeman, Allison

---

**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** Monday, February 11, 2013 5:12 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** RE: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

thnx

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

---

**From:** Wiedeman.Allison@epamail.epa.gov [mailto:Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Monday, February 11, 2013 5:07 PM  
**To:** Thomas Hebert  
**Subject:** Re: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

Also, will be sending list of states we worKed with tomorrow as well.

---

**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** 02/11/2013 03:51 PM CST  
**To:** Allison Wiedeman  
**Subject:** RE: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

Thnx!

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

---

**From:** [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov) [mailto:Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Monday, February 11, 2013 4:51 PM  
**To:** Thomas Hebert  
**Subject:** Re: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

that's why I will be sending you a CD

Allison Wiedeman, Chief

Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

▼ Thomas Hebert ---02/11/2013 04:47:36 PM---Hi Allison, So this link is not populated yet and we can't look at the data online. Do you know wha

From: Thomas Hebert <[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)>  
To: Allison Wiedeman/DC/USEPA/US@EPA  
Date: 02/11/2013 04:47 PM  
Subject: FW: EPA released data related to FOIA request for all CAFO information collected by EPA from states

---

Hi Allison,

So this link is not populated yet and we can't look at the data online. Do you know what the plan/schedule is to get that raw data out there for us to look at? Will it take a few weeks? All the more reason to get a cd if we can .

Thanks!

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

**From:** [Penman.Crystal@epamail.epa.gov](mailto:Penman.Crystal@epamail.epa.gov) [<mailto:Penman.Crystal@epamail.epa.gov>] **On Behalf Of** [Gilinsky.Ellen@epamail.epa.gov](mailto:Gilinsky.Ellen@epamail.epa.gov)  
**Sent:** Monday, February 11, 2013 4:45 PM  
**To:** [crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com); [jthorne@lawbc.com](mailto:jthorne@lawbc.com); Thomas Hebert; [thomascrigler4@gmail.com](mailto:thomascrigler4@gmail.com); [formicam@nppc.org](mailto:formicam@nppc.org); [amcdonald.beef.org](mailto:amcdonald.beef.org); [donp@fb.org](mailto:donp@fb.org)  
**Cc:** [ann.mills@osec.usda.gov](mailto:ann.mills@osec.usda.gov); [Stoner.Nancy@epamail.epa.gov](mailto:Stoner.Nancy@epamail.epa.gov); [Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov); [Nagle.Deborah@epamail.epa.gov](mailto:Nagle.Deborah@epamail.epa.gov); [Mitschele.Becky@epamail.epa.gov](mailto:Mitschele.Becky@epamail.epa.gov); [Hill.Randy@epamail.epa.gov](mailto:Hill.Randy@epamail.epa.gov)  
**Subject:** EPA released data related to FOIA request for all CAFO information collected by EPA from states

Dear Agriculture Stakeholders,

EPA has made a commitment to you to be open and transparent in our work with the agriculture community. Therefore, I wanted to make you aware of two separate Freedom of Information Act (FOIA) requests to EPA, both of which asked for all records relating to EPA's effort to collect CAFO data. One was from EarthJustice and the other was from the Natural Resources Defense Council and Pew Charitable Trust.

You may recall that in July 2012, EPA withdrew a proposed rule that would have required CAFOs to submit information to EPA. The Agency indicated it would use existing federal, state and local sources of information instead of a regulation to gather data about CAFOs. Over the last six months, EPA has been working with states to gather the following information about CAFOs: facility contact information, production area location, permit status, the number and type of animals, and the number of acres available for land application of manure, litter and wastewater.

EPA has been gathering publicly accessible information from States, which is subject to FOIA requirements. EPA made clear to all states that provided us with information that the publicly accessible data they submitted would be required by law to be released to FOIA requestors.

Based on our obligations under FOIA, last week EPA sent the requesters a CD with responsive and releasable documents that included the information states have provided regarding the data collection effort. EPA did not alter the information states submitted in any way before releasing it to the requestors. Along with other federal agencies, EPA now manages FOIA requests through FOIAonline. FOIAonline is a public website that tracks and stores information responsive to a request. It's the Agency's policy to upload records to FOIAonline. While publically available, a user would need to search through all FOIA requests to EPA with a keyword or have the ID number for the FOIA to review the responsive and releasable documents. Once EPA closes out the FOIA request in the next few weeks, the information we provided under these FOIAs will be available at:

<https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28001613d>

I have been reaching out to you and your colleagues as soon as I became aware of this situation and we will be setting up a meeting at EPA with call in number in the next week to ten days to answer questions you may have. In the meantime you can contact Allison Wiedeman, Rural Branch Chief, either at [wiedeman.allison@epa.gov](mailto:wiedeman.allison@epa.gov) or (202) 564-0901. I am of course available at [gilinsky.ellen@epa.gov](mailto:gilinsky.ellen@epa.gov) or 202 564 2549.

Ellen Gilinsky, Ph.D.  
Senior Policy Advisor  
Office of Water

US Environmental Protection Agency  
Room 3111 East  
Telephone: (202) 564-2549  
Cell : (202) 236-6882  
Email: [Gilinsky.Ellen@epa.gov](mailto:Gilinsky.Ellen@epa.gov)

Mailing Address: 1200 Pennsylvania Avenue, NW, Mail Code 4101M, Washington, DC 20460-0001  
Physical/FedEx/Courier Address: 1201 Constitution Ave., NW, Rm. 3111 East Bldg., Washington, DC 20004-3302



## Wiedeman, Allison

---

**From:** Thomas Hebert [tom.hebert@bayardridge.com]  
**Sent:** Monday, February 11, 2013 4:31 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** RE: Getting the data on disc?

Thanks. I am sure you checked, but I wondered if you could give us the data that way without our own FOIA request. If you can, it would make this a great deal easier.

Thanks!

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)

---

**From:** Wiedeman.Allison@epamail.epa.gov [mailto:Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Monday, February 11, 2013 4:29 PM  
**To:** Thomas Hebert  
**Subject:** Re: Getting the data on disc?

you are reading my mind Tom. It will be quicker that way for you. I have to burn several for each animal sector but I will not be able to get it to you and others until tomorrow.

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

▼ Thomas Hebert ---02/11/2013 04:15:48 PM---Allison, Can we get the data released to NRDC in disc format to facilitate the speed of review needed

From: Thomas Hebert <[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)>  
To: Allison Wiedeman/DC/USEPA/US@EPA  
Date: 02/11/2013 04:15 PM  
Subject: Getting the data on disc?

---

Allison,

Can we get the data released to NRDC in disc format to facilitate the speed of review needed to QA/QC the data?

Thanks,

Tom

Tom Hebert  
Bayard Ridge Group  
(Office) 202-407-9069  
(Mobile) 202-441-0570  
(Fax) 202-204-5676  
[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)



## Wiedeman, Allison

---

**From:** WIEDEMAN, ALLISON  
**Sent:** Tuesday, February 12, 2013 4:13 PM  
**To:** Paul Bredwell  
**Cc:** crichter@thepolicygroup.com  
**Subject:** Re: Voicemail and FOIA information

thanks Paul - will send the cd to you as requested

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

**From:** Paul Bredwell <[pbredwell@uspoultry.org](mailto:pbredwell@uspoultry.org)>  
**To:** Allison Wiedeman/DC/USEPA/US@EPA  
**Cc:** Christian Richter <[crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com)>  
**Date:** 02/12/2013 01:59 PM  
**Subject:** Voicemail and FOIA information

Allison,

Thanks for the call regarding the FOIA information and your message regarding Deborah. I enjoyed meeting Deborah and I appreciate her taking the time to participate in the Poultry Expo and the Environmental Committee meeting.

Thanks too for the offer to forward a CD of the data you sent in response to the FOIA request. You can forward it to the address listed below.

I hope by now you have been filled in on the first module of the poultry producers educational program. The first week of January I attended four dinner meetings hosted by the West Virginia Department of Agriculture and presented Module One to over 250 individuals. While the types of operations varied, (i.e. poultry & egg, cattle, row crops and forage) the feed back I received from WV Department of Ag personnel was very positive.

Best Regards,

Paul J. Bredwell III, P.E.  
Vice President - Environmental Programs  
U. S. Poultry & Egg Association  
1530 Cooledge Road  
Tucker, Georgia 30084  
Phone: 770-493-9401  
Mobile: 770-881-4418  
[pbredwell@poultryegg.org](mailto:pbredwell@poultryegg.org)

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recipient(s) is strictly prohibited. No representation is made that this email or any attachments are free of viruses. Virus scanning is recommended and is the responsibility of the recipient.

## Wiedeman, Allison

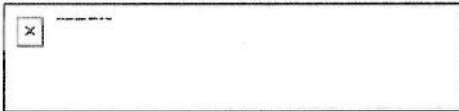
---

**From:** Ashley McDonald [amcdonald@beef.org]  
**Sent:** Monday, April 08, 2013 4:21 PM  
**To:** Wiedeman, Allison  
**Subject:** RE: Conference Call Request  
**Attachments:** Agenda EWG 2013 Leg Conf Meeting.docx

Just wanted to update you on our Environmental Working Group meeting next Tuesday. Due to a fundraiser in our conference room that morning, we've had to push the start time of the meeting back to 10:00am (originally 8am) so you'll be the first thing on the agenda. I've attached the draft agenda.

*Ashley Lyon McDonald*

Deputy Environmental Counsel  
1301 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20004-1701  
(202) 879-9102



---

**From:** WIEDEMAN, ALLISON [mailto:Wiedeman.Allison@epa.gov]  
**Sent:** Thursday, March 07, 2013 2:54 PM  
**To:** Ashley McDonald; Tom McDonald  
**Cc:** Ben Weinheimer; Nagle, Deborah  
**Subject:** RE: Conference Call Request

Ashley - am glad to meet with your EWG on April 16<sup>th</sup>. 10 - 12 that day is fine. I will make sure to come prepared to discuss this issues you described below to the extent I can. Of course I will be glad to go to your office for this meeting. Thanks for the opportunity! Allison

---

**From:** Ashley McDonald [mailto:amcdonald@beef.org]  
**Sent:** Thursday, March 07, 2013 2:40 PM  
**To:** Tom McDonald; WIEDEMAN, ALLISON  
**Cc:** Ben Weinheimer  
**Subject:** RE: Conference Call Request

Allison, Tom said he got ahold of you and you are available for our EWG meeting on April 16<sup>th</sup>! First of all, thank you for accepting. I assume it is ok with you to plan on coming over to NCBA to meet with the group instead of us coming over there?

As far as issues, Tom mentioned the CAFO rule revision that should be almost coming out by that date (also if anything we haven't expected is coming out of the 610 review), also probably should add the CAFO information release to the three environmental groups and the database going forward to the list of issues. On the CWA guidance/rulemaking, we can probably have Sarah Bittleman update our group on that topic.

Our meeting is scheduled for 8am-2pm. I will schedule you for 10am-12pm unless you prefer another time. Let me know if that doesn't work.

Thanks again, looking forward to it.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

This Email message contained an attachment named  
image001.jpg

which may be a computer program. This attached computer program could contain a computer virus which could cause harm to EPA's computers, network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced into the EPA network. EPA is deleting all computer program attachments sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you should contact the sender and request that they rename the file name extension and resend the Email with the renamed attachment. After receiving the revised Email, containing the renamed attachment, you can rename the file extension to its correct name.

For further information, please contact the EPA Call Center at (866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*



## Wiedeman, Allison

---

**From:** Ashley McDonald [amcdonald@beef.org]  
**Sent:** Wednesday, February 13, 2013 8:28 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** RE: states that EPA has gathered CAFO data from

No I haven't gotten anything. Thanks for resending.

Ashley Lyon McDonald  
Deputy Environmental Counsel  
202-701-0118  
Sent from the BeefPhone

-----Original Message-----

**From:** Wiedeman.Allison@epamail.epa.gov [Wiedeman.Allison@epamail.epa.gov]  
**Sent:** Wednesday, February 13, 2013 06:18 AM Mountain Standard Time  
**To:** Ashley McDonald  
**Subject:** Fw: states that EPA has gathered CAFO data from

Ashley - I have gotten 4 delivery failure notices on this email to you. if it went thru apologies for sending again. see below

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

----- Forwarded by Allison Wiedeman/DC/USEPA/US on 02/13/2013 08:17 AM -----

From: Allison Wiedeman/DC/USEPA/US  
To: crichter@thepolicygroup.com, tom.hebert@bayardridge.com, formicam@nppc.org, amcdonald@beef.org, pbredwell@uspoultry.org  
Date: 02/13/2013 08:15 AM  
Subject: Fw: states that EPA has gathered CAFO data from

---

Folks - apologies if this got to you a second or even a third time. My system is acting up and not sure if you received it. sending again just in case. EPA is going through a conversion from Lotus Notes to Outlook over the next week and we will be experiencing email difficulties. thanks

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

----- Forwarded by Allison Wiedeman/DC/USEPA/US on 02/13/2013 08:13 AM -----

From: Allison Wiedeman/DC/USEPA/US  
To: Michael Formica <formicam@nppc.org>, Thomas Hebert <tom.hebert@bayardridge.com, amcdonald@beef.org, Christian Richter <crichter@thepolicygroup.com>, , ,

Cc: Deborah Nagle/DC/USEPA/US@EPA, Becky Mitschele/DC/USEPA/US@EPA  
Date: 02/12/2013 04:36 PM  
Subject: states that EPA has gathered CAFO data from

---

Dear Michael, Tom, Ashley, Christian, and Paul - In an effort to provide you with information as timely as possible, we will be mailing you copies of the data that we provided in the FOIA releases in the form of a CD and a copy of the FOIA requests. They are going in the mail today. In addition, as requested, below is a short summary of the states from which we have gathered CAFO data:

EPA gathered data from 30 states - (AL, AR, AZ, CO, CA, FL, GA, IN, IA, IL, LA, ME, MD, MI, MS, MT, NE, NC, NJ, NY, ND, OH, OR, PA, SD, TN, TX, UT, WI, WY). In addition to providing the FOIA requesters the data gathered from these 30 states, we also released publically accessible data for the Delmarva peninsula that EPA collected from a previous 308 data collection effort.

We spoke to 9 states ( KY, KS, DE, VT, VA, SC, MO, CT, and WV) who did not provide data or information to EPA. However, KS and VA sent us a screen shot of their database. Those screenshots were released.

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

**Wiedeman, Allison**

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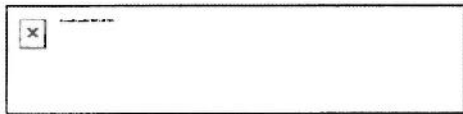
**From:** Ashley McDonald [amcdonald@beef.org]  
**Sent:** Tuesday, February 12, 2013 2:25 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Information Request

Allison,

Could you provide me with the state data on CAFOs that was provided to Earth Justice, Pew Charitable Trust and NRDC in a recent FOIA request? My address can be found below. Thank you.

*Ashley Lyon McDonald*

Deputy Environmental Counsel  
1301 Pennsylvania Ave., NW, Suite 300  
Washington, DC 20004-1701  
(202) 879-9102



\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

This Email message contained an attachment named  
image001.jpg  
which may be a computer program. This attached computer program could  
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This was done to limit the distribution of computer viruses introduced  
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sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you  
should contact the sender and request that they rename the file name  
extension and resend the Email with the renamed attachment. After  
receiving the revised Email, containing the renamed attachment, you can  
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at  
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

\*\*\*\*\* ATTACHMENT NOT DELIVERED \*\*\*\*\*

## Wiedeman, Allison

---

**From:** Don Parrish [donp@fb.org]  
**Sent:** Thursday, February 14, 2013 10:53 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** CAFO data

Allison

How did you send the CAFO data to Farm Bureau? I am hearing that others got packages yesterday –

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*  
*[donp@fb.org](mailto:donp@fb.org)*



## Wiedeman, Allison

---

**From:** Don Parrish [donp@fb.org]  
**Sent:** Thursday, February 14, 2013 7:51 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Re: Question

Thanks

Sent from my iPhone

On Feb 14, 2013, at 7:44 AM, "[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)" <[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)> wrote:

Don - the quickest way for me to send the MOU to you is in the link below. I tried it myself and it is a link directly to the PDF of the MOU and my computer pulled it up easily. let me know if you have any trouble and i will make a copy of it and send to you.

The MOU with ACWA is available in the docket to the rule at:

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OW-2011-0188-1440>

Thanks,  
Becky Mitschele  
Water Permits Division, OWM  
U.S. Environmental Protection Agency  
Tel: 202.564.6418

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

<graycol.gif>"Don Parrish" ---02/13/2013 11:03:47 AM---Thanks and no problem. Have fun Sent from my iPhone

From: "Don Parrish" <[donp@fb.org](mailto:donp@fb.org)>  
To: Allison Wiedeman/DC/USEPA/US@EPA  
Date: 02/13/2013 11:03 AM  
Subject: Re: Question

---

Thanks and no problem. Have fun

Sent from my iPhone

On Feb 13, 2013, at 10:58 AM, "[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)" <[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)> wrote:

Hello Don: will be glad to send the MOU your way. Only problem is that I can't do until tomorrow am. Our entire Division is offsite at a strategic planning retreat. No one is there today

---

**From:** "Don Parrish" [[donp@fb.org](mailto:donp@fb.org)]  
**Sent:** 02/13/2013 09:17 AM EST  
**To:** Allison Wiedeman  
**Subject:** Question

Allison

Can you send me a copy of your MOU with ACWA? Thanks

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*  
*[donp@fb.org](mailto:donp@fb.org)*

## Wiedeman, Allison

---

**From:** Don Parrish [donp@fb.org]  
**Sent:** Wednesday, February 13, 2013 11:04 AM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Re: Question

Thanks and no problem. Have fun

Sent from my iPhone

On Feb 13, 2013, at 10:58 AM, "Wiedeman.Allison@epamail.epa.gov" <Wiedeman.Allison@epamail.epa.gov> wrote:

Hello Don: will be glad to send the MOU your way. Only problem is that I can't do until tomorrow am. Our entire Division is offsite at a strategic planning retreat. No one is there today

---

**From:** "Don Parrish" [donp@fb.org]  
**Sent:** 02/13/2013 09:17 AM EST  
**To:** Allison Wiedeman  
**Subject:** Question

Allison

Can you send me a copy of your MOU with ACWA? Thanks

*Don Parrish*  
*Senior Director, Regulatory Relations*  
*American Farm Bureau Federation®*  
*202-406-3667*  
*donp@fb.org*

## Wiedeman, Allison

---

**From:** WIEDEMAN, ALLISON  
**Sent:** Tuesday, February 12, 2013 4:42 PM  
**To:** WIEDEMAN, ALLISON  
**Cc:** Michael Formica  
**Subject:** Re: states that EPA has gathered CAFO data from

Folks - please confirm receipt of the email below. My system is acting up and not sure it went through. thanks

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

**From:** Allison Wiedeman/DC/USEPA/US  
**To:** Michael Formica <[formicam@nppc.org](mailto:formicam@nppc.org)>, Thomas Hebert <[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com), [amcdonald@beef.org](mailto:amcdonald@beef.org),  
Christian Richter <[crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com)>, [pbredwell@uspoultry.org](mailto:pbredwell@uspoultry.org), ,  
**Cc:** Deborah Nagle/DC/USEPA/US@EPA, Becky Mitschele/DC/USEPA/US@EPA  
**Date:** 02/12/2013 04:36 PM  
**Subject:** states that EPA has gathered CAFO data from

Dear Michael, Tom, Ashley, Christian, and Paul - In an effort to provide you with information as timely as possible, we will be mailing you copies of the data that we provided in the FOIA releases in the form of a CD and a copy of the FOIA requests. They are going in the mail today. In addition, as requested, below is a short summary of the states from which we have gathered CAFO data:

EPA gathered data from 30 states - (AL, AR, AZ, CO, CA, FL, GA, IN, IA, IL, LA, ME, MD, MI, MS, MT, NE, NC, NJ, NY, ND, OH, OR, PA, SD, TN, TX, UT, WI, WY). In addition to providing the FOIA requesters the data gathered from these 30 states, we also released publically accessible data for the Delmarva peninsula that EPA collected from a previous 308 data collection effort.

We spoke to 9 states ( KY, KS, DE, VT, VA, SC, MO, CT, and WV) who did not provide data or information to EPA. However, KS and VA sent us a screen shot of their database. Those screenshots were released.

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901



## Wiedeman, Allison

---

**From:** WIEDEMAN, ALLISON  
**Sent:** Tuesday, February 12, 2013 5:15 PM  
**To:** crichter@thepolicygroup.com  
**Subject:** Fw: states that EPA has gathered CAFO data from  
**Attachments:** graycol.gif

Yes - my computer was acting up and I thought some did not get it. Here is what I sent u

---

**From:** Michael Formica [formicam@nppc.org]  
**Sent:** 02/12/2013 09:57 PM GMT  
**To:** Allison Wiedeman  
**Subject:** Re: states that EPA has gathered CAFO data from

Thanks Allison. This is very helpful.

Michael C. Formica  
National Pork Producers Council  
(202) 680-3820

Sent from my SwinePhone

On Feb 12, 2013, at 4:42 PM, "[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)" <[Wiedeman.Allison@epamail.epa.gov](mailto:Wiedeman.Allison@epamail.epa.gov)> wrote:

Folks - please confirm receipt of the email below. My system is acting up and not sure it went through.  
thanks

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

<graycol.gif>Allison Wiedeman---02/12/2013 04:36:47 PM---Dear Michael, Tom, Ashley, Christian, and Paul - In an effort to provide you with information as ti

From: Allison Wiedeman/DC/USEPA/US  
To: Michael Formica <formicam@nppc.org>, Thomas Hebert <tom.hebert@bayardridge.com>, amcdonald@beef.org, Christian Richter <crichter@thepolicygroup.com>, pbredwell@uspoultry.org, .  
Cc: Deborah Nagle/DC/USEPA/US@EPA, Becky Mitschele/DC/USEPA/US@EPA  
Date: 02/12/2013 04:36 PM  
Subject: states that EPA has gathered CAFO data from

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Dear Michael, Tom, Ashley, Christian, and Paul - In an effort to provide you with information as timely as possible, we will be mailing you copies of the data that we provided in the FOIA releases in the form of a CD and a copy of the FOIA requests. They are going in the mail today. In addition, as requested, below is a short summary of the states from which we have gathered CAFO data:

EPA gathered data from 30 states - (AL, AR, AZ, CO, CA, FL, GA, IN, IA, IL, LA, ME, MD, MI, MS, MT, NE, NC, NJ, NY, ND, OH, OR, PA, SD, TN, TX, UT, WI, WY). In addition to providing the FOIA requesters the data gathered from these 30 states, we also released publically accessible data for the Delmarva peninsula that EPA collected from a previous 308 data collection effort.

We spoke to 9 states ( KY, KS, DE, VT, VA, SC, MO, CT, and WV) who did not provide data or information to EPA. However, KS and VA sent us a screen shot of their database. Those screenshots were released.

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

## Wiedeman, Allison

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**From:** WIEDEMAN, ALLISON  
**Sent:** Wednesday, February 13, 2013 8:16 AM  
**To:** crichter@thepolicygroup.com; tom.hebert@bayardridge.com; formicam@nppc.org; amcdonald@beef.org. pbredwell  
**Subject:** Fw: states that EPA has gathered CAFO data from

Folks - apologies if this got to you a second or even a third time. My system is acting up and not sure if you received it. sending again just in case. EPA is going through a conversion from Lotus Notes to Outlook over the next week and we will be experiencing email difficulties. thanks

Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

----- Forwarded by Allison Wiedeman/DC/USEPA/US on 02/13/2013 08:13 AM -----

**From:** Allison Wiedeman/DC/USEPA/US  
**To:** Michael Formica <formicam@nppc.org>, Thomas Hebert <tom.hebert@bayardridge.com, amcdonald@beef.org, Christian Richter <crichter@thepolicygroup.com>, . .  
**Cc:** Deborah Nagle/DC/USEPA/US@EPA, Becky Mitschele/DC/USEPA/US@EPA  
**Date:** 02/12/2013 04:36 PM  
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Allison Wiedeman, Chief  
Rural Branch  
Office of Wastewater Management  
US EPA  
202-564-0901

## Wiedeman, Allison

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**From:** Nagle, Deborah  
**Sent:** Thursday, February 14, 2013 10:02 AM  
**To:** crichter@thepolicygroup.com  
**Cc:** WIEDEMAN, ALLISON  
**Subject:** Re: Deborah - how does next wednesday morning look for mtg at Farm Bureau - Don agrees to host

Christian-

We are all free between 8:30 and 10:30 for an hour meeting on WED, 20 FEB. If you have to push the meeting later as long as it ends at 11:30 we can make it work, but Ellen would have to rearrange her schedule.

Here is the EPA invite list

- Ellen Glinski
- Deborah Nagle
- Allison Wiedeman
- Simma Kupchan
- Randy Hill
- Becky Mitschele

Thanks

Deborah

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Sent by EPA Wireless E-Mail Services

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**From:** Christian Richter [crichter@thepolicygroup.com]  
**Sent:** 02/14/2013 02:58 AM GMT  
**To:** Deborah Nagle  
**Subject:** Re: Deborah - how does next wednesday morning look for mtg at Farm Bureau - Don agrees to host

Any word you can give shortly that would be great, or I can press as well with Ellen.

Thx Deborah.

Best regards,

Christian

The Policy Group  
700 12th Street NW  
Suite 700  
Washington, DC 20005  
(202) 257-0250 direct  
[crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com)

[Nagle.Deborah@epamail.epa.gov](mailto:Nagle.Deborah@epamail.epa.gov) wrote:



I will check with Ellen's scheduler and get back to you.

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Sent by EPA Wireless E-Mail Services

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**From:** Christian Richter [crichter@thepolicygroup.com]

**Sent:** 02/13/2013 10:25 PM GMT

**To:** Deborah Nagle

**Subject:** Deborah - how does next wednesday morning look for mtg at Farm Bureau - Don agrees to host

Best regards,

Christian

The Policy Group

700 12th Street NW

Suite 700

Washington, DC 20005

(202) 257-0250 direct

[crichter@thepolicygroup.com](mailto:crichter@thepolicygroup.com)

## Wiedeman, Allison

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**From:** Nagle, Deborah  
**Sent:** Friday, March 01, 2013 1:58 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** Fw: Critical  
**Attachments:** Fixes.docx  
  
**Importance:** High

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**From:** Alexandra Dunn  
**Sent:** Friday, March 01, 2013 1:27:22 PM  
**To:** Nagle, Deborah  
**Subject:** Critical

Dear Deborah,

The letter Nancy sent last night contains two sentences when read together makes it appear that ACWA delivered 30 states' data to EPA. We did not deliver or transmit any data. This must be clarified in a supplement to Nancy's letter as ACWA's very existence is threatened by the suggestion that the Association transmitted data. Attached is a suggested clarification to Nancy's letter. Please let me know the status.

Alexandra Dapolito Dunn, Esq.  
Executive Director & General Counsel  
*Association of Clean Water Administrators--"The Voice of States & Interstates"*  
1221 Connecticut Ave. , NW, 2d Floor  
Washington, DC 20036  
202-756-0600 (T); 202-230-4247 (C); 202-756-0605 (F)  
[adunn@acwa-us.org](mailto:adunn@acwa-us.org); [www.acwa-us.org](http://www.acwa-us.org)  
*Save The Date: ACWA's 52<sup>nd</sup> Annual Meeting, The Lodge at Santa Fe, August 5 - 7, 2013 Santa Fe, NM*

We subsequently entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with States to obtain this information. The EPA obtained data on animal operations in thirty States. Through direct communication with States, the EPA requested and obtained data on animal feeding operations in thirty states. In July 2012, EPA entered into a Memorandum of Understanding with the Association of Clean Water Administrators that provided a means for EPA to work with states to work on data issues. ACWA did not collect, transfer, or disseminate any state data prior to EPA's FOIA response. All collection, transfer, and dissemination of data was handled by and under the control of EPA.

## Wiedeman, Allison

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**From:** Nagle, Deborah  
**Sent:** Thursday, February 28, 2013 12:05 PM  
**To:** WIEDEMAN, ALLISON  
**Subject:** FW: Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers  
**Attachments:** cwa-foia13.0222.pdf

-----Original Message-----

**From:** Stoner, Nancy  
**Sent:** Monday, February 25, 2013 7:02 PM  
**To:** Hill, Randy; Nagle, Deborah  
**Subject:** FW: Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers

fyi

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**From:** Vaught, Laura  
**Sent:** Monday, February 25, 2013 6:12 PM  
**To:** Stoner, Nancy; Gilinsky, Ellen  
**Subject:** FW: Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers

Per conversation.

In case this hasn't made its way to you yet.

Anne

**From:** Ryan Farley [<mailto:ryanf@fb.org>]  
**Sent:** Monday, February 25, 2013 11:26 AM  
**To:** Barnett, Chelsea; Solem, Rebekah; Boone, Jamie; Meyer, Rachel; Tully, Emily; Shimkus, Eddie; [chris.adamo@ag.senate.gov](mailto:chris.adamo@ag.senate.gov)<<mailto:chris.adamo@ag.senate.gov>>; [daniel.ulmer@cochran.senate.gov](mailto:daniel.ulmer@cochran.senate.gov)<<mailto:daniel.ulmer@cochran.senate.gov>>; [joaquin.esquivel@boxer.senate.gov](mailto:joaquin.esquivel@boxer.senate.gov)<<mailto:joaquin.esquivel@boxer.senate.gov>>; [chris.stanley@vitter.senate.gov](mailto:chris.stanley@vitter.senate.gov)<<mailto:chris.stanley@vitter.senate.gov>>; [josh.klein@cardin.senate.gov](mailto:josh.klein@cardin.senate.gov)<<mailto:josh.klein@cardin.senate.gov>>; [zachary.hartman@boozman.senate.gov](mailto:zachary.hartman@boozman.senate.gov)<<mailto:zachary.hartman@boozman.senate.gov>>  
**Subject:** Coalition Letter re: Personal and Business Information on Thousands of Livestock and Poultry Farmers

The following Senators and Representatives are CC'ed on the attached letter to EPA:

Rep. Frank Lucas  
Rep. Collin Peterson  
Rep. Bill Shuster  
Rep. Nick Rahall  
Rep. Bob Gibbs  
Rep. Timothy Bishop



The Honorable Bob Perciasepe  
Acting Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

To EPA Acting Administrator

We are writing as representatives of the nation's agricultural community to express our deep concern, and our members' outrage, over the recent actions of the Environmental Protection Agency (EPA) to publicly release a significant amount of personal and business information about thousands of livestock and poultry farmers across the country. It is our understanding that this information was gathered from more than 30 state permitting authorities and simply transmitted as raw data to the Natural Resources Defense Council (NRDC), Earth Justice and the Pew Charitable Trusts as part of two separate Freedom of Information Act requests.

It is our understanding that EPA released the information without undertaking a review of the data to protect against the release of private or confidential business information that may have been improperly included in the states' submissions. There appears to have been a presumption by EPA that *all* data submitted by the states was publicly and readily available and therefore afforded no protection from disclosure under any federal laws.

From the farmer's perspective, the agency has collected and released details of peoples' private lives to NRDC and the others. The data included information on livestock and poultry farms and ranches of all sizes, from large CAFOs to the smallest of farms, many of which are maintained in state databases solely under state laws. The overwhelming majority of those farms are owned and operated by *families*. These are farmers who are honorably engaged in honest work to produce livestock and poultry to support themselves, their families, their communities, our country and consumers around the world. In most instances, farmers and ranchers live and raise their children in very close proximity to their animals. We object in the strongest terms possible to the release of this data for possible use by groups who oppose our members' businesses and way of life for reasons largely, if not entirely, unrelated to the honorable goals and objectives of the Clean Water Act.

We are deeply concerned that EPA is also actively developing from this, and similarly collected data for, a comprehensive, national and public database of every livestock and poultry operation in this nation, regardless of whether the facility holds a Clean Water Act permit. We stand ready to work with EPA and other appropriate government entities on creative and serious ways to help support these farmers and ranchers in meeting the goals of the Clean Water Act. But we, as representatives of the agricultural community, cannot see in these efforts a legitimate role for such a national, comprehensive database that does not also carry serious and unacceptable risks for farmers and ranchers and their families, and we would consequently oppose any such effort by EPA.

The specific reasons for our opposition are detailed in the lengthy comments we submitted to EPA and OIRA in 2011 opposing EPA's proposed Section 308 rule. In those comments we

expressed our concerns regarding the privacy and security implications of EPA's collection and release of individual farmer information. We went to great lengths to explain our concerns and justify the need to handle this type of information with the greatest of care. We emphasized that the information EPA sought to collect was not merely a business address, but a vital link in the nations' food systems, so vital in fact, that the Department of Homeland Security considers livestock critical infrastructure an important national resource. We also pointed out that many locations were also the address of a family's home. Yet, despite our very public efforts to sensitize EPA, agency staff made the unilateral decision that these concerns were not credible.

Going forward, it is critical that EPA reconsider the depth and seriousness of rural America's concerns and act responsibly to avoid any further release of sensitive information that could cause harm, not only to individual farmers and ranchers but to the nations' food supply.

Sincerely,

American Farm Bureau Federation  
National Cattlemen's Beef Association  
National Council of Farmer Cooperatives  
National Chicken Council  
National Pork Producers Council  
National Turkey Federation  
United Egg Producers  
US Poultry and Egg Association

CC:

Rep. Frank Lucas  
Rep. Collin Peterson  
Rep. Bill Shuster  
Rep. Nick Rahall  
Rep. Bob Gibbs  
Rep. Timothy Bishop  
Sen. Debbie Stabenow  
Sen. Thad Cochran  
Sen. Barbara Boxer  
Sen. David Vitter  
Sen. Benjamin Cardin  
Sen. John Boozman



See below. Promised Mike Formica we would be on 230 call to discuss with pork producers environmental committee re these questions. Also we need to plan mtg f In our office next week or so with bigger group. Mike concerned but appreciated heads up

-----Forwarded by Ellen Gilinsky/DC/USEPA/US on 02/08/2013 09:26PM -----

=====  
To: Ellen Gilinsky/DC/USEPA/US@EPA  
From: Thomas Hebert <[tom.hebert@bayardridge.com](mailto:tom.hebert@bayardridge.com)>  
Date: 02/08/2013 09:14PM  
Subject: FOIA Data  
=====

Hi Ellen,

How'd the calls go?

One of the top questions people will have is if all the data submitted were truly public at the state level. I know Alex says it was, and it would make sense. But it will be really bad if that is not the case and some producer ends up with harms/damages/troubles because of the release of private information. That will be among the v top concerns people will have next week...including pork who you will speak to on Monday Michael says, and the egg guys and everyone else. I don't know what you can do to verify ASAP the public nature of all the state data that were released to NRDC...but the sooner the better. And if some private data is out there, EPA will need to immediately get to work on finding out whose data is out so we can get these people notified and prepared for whatever may come.

Tom